



JAMES A. NOYES, Director

# COUNTY OF LOS ANGELES

## DEPARTMENT OF PUBLIC WORKS

*"To Enrich Lives Through Effective and Caring Service"*

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March 30, 2004

IN REPLY PLEASE  
REFER TO FILE: **PD-1**

TO: Each Supervisor

FROM: James A. Noyes  
Director of Public Works

### **ALAMEDA CORRIDOR EAST (ACE) PROJECT MARCH 22, 2004, MEETING**

On March 22, 2004, a member of my staff attended the regular meeting of the San Gabriel Valley Council of Governments-ACE Construction Authority. A copy of the agenda and the adopted minutes of the February 23, 2004, meeting is attached. The following items occurred at the meeting, which are of interest to the County.

Under Agenda Item IV, the Chairman reported that he and other ACE Construction Authority Board members made their planned trip to Washington, D.C., to lobby for Federal funds through the upcoming reauthorization of the Federal Transportation Funding Act.

Under Agenda Item V, the Chief Executive Officer reported on the matter of the disputed award of the construction contract for the Reservoir Street/East End Avenue Grade Separation projects. Ortiz Enterprises was awarded the contract while the third lowest bidder, Brutoco Engineering, filed suit in Superior Court to prevent award to Ortiz Enterprises. The Court most recently decided that another hearing on the matter was needed; therefore, no work could proceed pending a decision by the Court. A date for the hearing has not been set. The ACE Construction Authority may need to cancel the contract with Ortiz Enterprises if Ortiz Enterprises cannot assure that the prices stated in their bid will remain unchanged. The ACE Construction Authority Board removed Agenda Item IX from the Agenda as a result.

Under Agenda Item VI, the ACE Construction Authority Board approved the plans, specifications, and estimates for the grade separation project at Ramona Boulevard in the City of El Monte. The estimated contract cost is \$12 million to \$16 million. This excludes certain utility relocation and Union Pacific Railroad force account work.

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Under Agenda Item VII, the ACE Construction Authority Board authorized the Chief Executive Officer to amend a contract with DMJM+Harris to add \$400,000 for design services during construction of the grade separation project at Ramona Boulevard. The new contract value will be \$3,001,623.

Under Agenda Item VIII, the ACE Construction Authority Board authorized the Chief Executive Officer to execute Task Order No. 2 with Lim and Nascimiento Engineering Corporation for construction management services on the grade separation project at Ramona Boulevard for a not-to-exceed amount of \$3,255,000.

The next meeting of the ACE Construction Authority Board will be on April 26, 2004, at the Irwindale City Hall at 2 p.m.

GAJ:dp

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Attach.

cc: Chief Administrative Office  
Executive Office



## Alameda Corridor-East Construction Authority

4900 Rivergrade Rd . Ste A120 Irwindale, CA 91706 (626) 962-9292 fax (626) 962-3552 [www.theaceproject.org](http://www.theaceproject.org)

### REGULAR MEETING AGENDA Monday, March 22, 2004 2 P.M. Irwindale City Hall - Council Chambers 5050 Irwindale Avenue Irwindale, CA 91706

Members of the public may comment on any item on the agenda at the time it is taken up by the Board. We ask that members of the public come forward to be recognized by the Chair and keep their remarks brief. If several persons wish to address the Board on a single item, the Chair may impose a three- minute time limit on individual remarks at the beginning of discussion.

All items set forth on this agenda are subject to action

- |      |  |                 |
|------|--|-----------------|
| I    | Roll Call and Introductions  |                 |
| II.  | Approval of Minutes – Regular Meeting of February 23, 2004 (Pages 1-3)   | Action          |
| III. | Public Comment   |                 |
| IV   | Chairman's Remarks   | Information     |
|      | Chief Executive Officer's Report (Pages 4-11)  | Information     |
| V    | Approval of Plans, Specifications and Estimates for Construction Contract for Ramona Blvd. Grade Separation (Pages 12-13)                    | Action          |
| VII  | Approval of Contract Amendment for Design Services During Construction for Ramona Blvd. Grade Separation with DMJM+Harris (Pages 14-15)      | Action          |
| VIII | Approval of Construction Management Services for Ramona Blvd. Grade Separation with Lim and Nascimento Engineering Corporation (Pages 16-17) | Action          |
|      | Approval of East End Ave/Reservoir Street Grade Separations Construction Contract (material to be distributed separately)                    | Possible Action |
|      | State Legislative Update (Pages 18-19)   | Information     |

The ACE Construction Authority is currently constituted of seven (7) member jurisdictions: the City of El Monte, the City of Industry, the City of Montebello, the City of San Gabriel, the City of Pomona, the County of Los Angeles, and the San Gabriel Valley Council of Governments. A San Bernardino County Council of Governments representative is an ex officio Board member.

Each member or alternate has one vote. A quorum of the ACE Construction Authority is no less than four (4) of its total voting membership. Actions taken by the ACE Construction Authority shall be by simple majority of the members present with a quorum in attendance except for personnel actions, the annual budget, matters dealing with the Administrative Code or matters requiring subsequent approval by the SGVCOG, all of which shall require five (5) votes.

- XI. Closed Session: The Board will recess to closed session for Conference with Real Property Negotiations in accordance with Government Code Section 54956.8
- Property Address: 1601 W. Mission Blvd., City of Pomona (Case No. BC292544) Possible Action
- Agency Negotiators: Mark Mendoza, Paragon Partners/Joe Montes, Burke, Williams & Sorenson, LLP
- Negotiating Parties: ACE Construction Authority and Pomona Partners, LLC
- Matters Under Negotiation: Price and Terms
- Property Address: 11240 Ramona Blvd., City of El Monte Possible Action
- Agency Negotiators: Mark Mendoza, Paragon Partners/Joe Montes, Burke, Williams & Sorenson, LLP
- Negotiating Parties: ACE Construction Authority and Manual A. and Leticia Q. Camacho and Javier & Ana Ortiz
- Matters Under Negotiation: Price and Terms
- Property Address: 155 S. Reservoir St., City of Pomona (Case No. BC294364) Possible Action
- Agency Negotiators: Mark Mendoza, Paragon Partners/Joe Montes, Burke, Williams & Sorenson, LLP
- Negotiating Parties: ACE Construction Authority and Miguel & Sylvia Sanchez
- Matters Under Negotiation: Price and Terms
- XII. Adjournment Action



**ACE Construction Authority  
Regular Board Meeting  
February 23, 2004  
Minutes**

Chairman Harry Baldwin called the meeting to order at the Irwindale Council Chambers on February 23, 2004 at 2:00 PM.

**1. In attendance were:**

Harry Baldwin, San Gabriel, Chair  
Michael Antonovich, County of Los Angeles  
Jack Phillips, Industry  
Ed Vasquez, Montebello  
Ed Cortez, Pomona  
Bob Huff, SGVCOG, Diamond Bar  
Paul Eaton, Ex Officio, SANBAG

Staff

Rick Richmond, Chief Executive Officer  
Joe Montes, Legal Counsel  
Sharon Neely, staff  
Deanna Stanley, staff  
Cynthia Ambrose, staff  
Bruce Armistead, staff  
Girish Roy, staff

Guests

Rose Anderson, Congressman Gary Miller  
Rahul Kumar, Foothill Transit  
Henry Lopez, Foothill Transit  
Francisco Jimenez, City of El Monte  
Susan Brown, Moffatt Nichol  
Greg Jaquez, LA Co DPW

**2. Approval of minutes of meeting of January 26, 2004**

A motion was made to approve the January 26, 2004 meeting minutes  
M/S/C: Cortez/Huff/Unanimous

**3. Public Comments**

There were no public comments.

**4. Chairman's Remarks**

Chairman Baldwin reported that there was no court action regarding the East End/Reservoir grade separation and the item related to this award would be pulled from the agenda. Chairman Baldwin indicated that several Board members and staff

would be traveling to Washington D. C. to meet with legislator regarding pending FY'05 appropriation funding requests and update them on the ACE Project. He indicated that the Authority would be co-hosting a congressional dinner with Foothill Transit, SGVCOG, and the Gold Line Construction Authority to discuss pending transportation legislation and funding requests. He noted that the Authority had received a letter of support from Congressman Gary Miller for the ACE Project and distributed it for the Board's information.

#### **5. Chief Executive Officer's Report**

Mr. Richmond reported that the Senate Budget Committee scheduled a hearing in Los Angeles on March 26 and staff would attend the hearing. He also distributed a comparison chart of the three federal transportation re-authorization bills (Administration, Senate and House versions). The Senate has passed the re-authorization bill (SB 1072) but the house bill has yet to be acted upon. The CEO also distributed approved language to the federal ACE project definition agreed to by the four CEO's from SANBAG, Ontrac, RCTC and the ACE Construction Authority. The ACE Project definition clarification would be added to the re-authorization bill and is intended to be consistent with the state definition. The CEO introduced Bruce Armistead who reviewed construction progress photos of the Nogales Street grade separation project. Jim Connolly, Bechtel-Korve Program Manager, provided a summary of the program management activities over the last month.

#### **6. Hearing on Resolution of Necessity for Ramona Street Grade Separation Project**

The Chairman opened the hearing for Resolution No. 04-01 concerning property at 11104-11110 E. Ramona Blvd., El Monte. Joe Montes, Burke, Williams & Sorensen, legal counsel for the Authority reviewed the hearing process. Mark Mendoza, Paragon Partners reviewed the design options and evaluation criteria. He further reviewed the property requirements and indicated the selected design option had the least property impact of the 'build' options considered. He indicated notices were sent to the Fein Family Trust, the owners of records, and negotiations to date were unsuccessful. He reminded the Board that though the Resolution of Necessity was approved, negotiations would continue. Mr. Mendoza indicated a meeting was scheduled for this coming Friday and he was hopeful settlement would be reached at that time.

The Chairman opened the public comment period. There were no comments. The Chairman closed the public comment period.

A motion was made to adopt Resolution 01-04, authorizing commencement of eminent domain proceedings to acquire the permanent easements interest and temporary easement in 11104-11110 E. Ramona Blvd., in the City of El Monte.

M/S/C: Vasquez/Cortez/Unanimous

**6. Acceptance of Fiscal Year 2003 Financial Audit**

Rick Richmond reminded the Board of the presentation at the January Board meeting. He indicated the financial audit (beginning on page 27 of the agenda) did not contain any adverse findings. There were no questions.

A motion was made to accept the 2003 Fiscal Year Financial Audit

M/S/C: Huff/Vasquez/Unanimous

**7. Acceptance of Quad Gate Safety Improvement & Close-out of Contract with Hillcrest Contracting, Inc.**

Mr. Richmond reviewed the scope of work for the quad gate contract. He indicated the work at all 5 crossings was satisfactorily complete and in conformance with the project specifications. He reported the final contract amount exceeded the DBE goal and the contract value experienced an increase due to Union Pacific restrictive procedures following the train derailment in the City of Commerce. Lou Cluster, Project Manager reviewed the photographs of the quad gate locations. A media clip was shown depicting the operation of the quad gates. A motion was made to accept the grade crossing safety improvement contract complete contingent upon approval from the City of Pomona; authorize the final retention; and authorize the release of the labor and materials bond and faithful performance bond upon expiration of the required lien period if no claims or objections have been filed.

M/S/C: Cortez/Phillips/Unanimous

**8. Approval of Nogales Street (LA Sub) Design Contract Amendment with DMJM+Harris**

Girish Roy reviewed the proposed additional element design to the Nogales Street (LA Subdivision) grade separation. The amendment, which included a bridge design for future extension of Railroad Street and a design of a detour road, was a request from the City of Industry. The City will reimburse ACE for the costs of design and project management costs. A motion was made to authorize the CEO to amend the contract with DMJM+Harris for the Nogales Street (LA subdivision) grade separation to increase the contract dollar amount by \$350,000 to a new contract value of \$2,322,853. There were no comments.

M/S/C: Phillips/Cortez/Unanimous

**9. Adjournment**

The meeting was adjourned at 2:37 PM.